

REMARKS

Claims 4-9, 13, 30-36, and 41 have been canceled. Claims 1-3, 26-27, 37, and 40 have been amended to clarify the subject matter regarded as the invention. Claims 1-3, 10-12, 14-29, and 37-40 are pending.

Claim Rejections – 35 U.S.C. §103

The Examiner has rejected Claims 1-5, 10-12, 14-19, 21-22, 26-28, 31, and 37-41 under 35 U.S.C. §103(a) as being unpatentable over Konia (US 7,225,151) in view of “Brazil to set price for PCS licenses,” The Gazette, Montreal, Quebec. The remaining claims stand rejected under 35 U.S.C. §103 based on the combination of Konia and The Gazette further combined with one or more other references. The rejections are respectfully traversed.

As amended, each of independent Claims 1, 37, and 40 recite determining, “prior to conducting an auction, a maximum and minimum volume to be awarded, from a total volume, to a leading successful bidder in the auction.” Independent Claims 1, 37, and 40 also recite awarding to the highest ranked bidder in an auction “an amount equal to the minimum volume and an additional volume,” where the additional volume is “based on a factor that is related to a difference between a first ranked bid and a second ranked bid.” Support for the amendments may be found, without limitation, at Pages 28-29 of the Specification.

Neither Konia, nor The Gazette, whether considered individually or in combination, disclose the above recited limitations. Accordingly, Claims 1, 37, and 40 are believed to be allowable.

Claims 2-3, 10-12, 14-29, and 38-39 depend from one of the aforementioned independent claims and are therefore also believed to be allowable.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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